

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 409

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND; AMENDING CHAPTER 4,
2 TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-451B, IDAHO
3 CODE, TO ESTABLISH PROVISIONS REGARDING THE FEDERAL OVERREACH LEGAL DE-
4 FENSE FUND; PROVIDING FOR AN APPROPRIATION TO THE FEDERAL OVERREACH LE-
5 GAL DEFENSE FUND; AND DECLARING AN EMERGENCY.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 4, Title 67, Idaho Code, be, and the same is
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
10 ignated as Section 67-451B, Idaho Code, and to read as follows:

11 67-451B. FEDERAL OVERREACH LEGAL DEFENSE FUND CREATED. There is
12 hereby created in the state treasury the federal overreach legal defense
13 fund. The federal overreach legal defense fund shall consist of such moneys
14 as are placed into it by appropriations and shall be continuously appropri-
15 ated to the senate and the house of representatives. Any interest earned
16 shall remain in the fund. The federal overreach legal defense fund shall be
17 specifically exempt from the provisions of chapter 35, title 67, Idaho Code,
18 and from the provisions of chapter 36, title 67, Idaho Code. The president
19 pro tempore of the senate and the speaker of the house of representatives
20 are hereby authorized to make expenditures out of the fund for any necessary
21 legal expenses of the legislature in defending the state of Idaho from over-
22 reach by the federal government.

23 SECTION 2. FISCAL YEAR 2022 CASH TRANSFER TO THE FEDERAL OVERREACH LE-
24 GAL DEFENSE FUND. There is hereby appropriated and the Office of the State
25 Controller shall transfer \$2,000,000 from the General Fund to the Federal
26 Overreach Legal Defense Fund as soon as practicable for the period July 1,
27 2021, through June 30, 2022.

28 SECTION 3. An emergency existing therefor, which emergency is hereby
29 declared to exist, this act shall be in full force and effect on and after its
30 passage and approval.